

Whereas, We are honored today to have as visitors in the Senate Craig J. Stephens, in the company of his Godfather, Maury Maverick, Jr., of San Antonio, Texas; and

Whereas, we desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Recess

On motion of Senator Martin the Senate at 10:55 o'clock a.m. took recess until 10:30 o'clock a.m. tomorrow.

SECOND DAY

(Continued)

(Wednesday, May 20, 1959)

After Recess

The Senate met at 10:30 o'clock a.m. and was called to order by the President Pro Tempore.

(President in the Chair.)

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 20, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1, Appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the Construction of State buildings, the payment of claims against the State, and for State aid to designated public junior colleges, for the two-year period beginning September 1, 1959, and ending August 31, 1961; authorizing and prescribing conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 1, Referred to the Committee on Finance.

Oath of Office Administered to Officers of the Senate

The President requested the elected officers of the Senate who were absent on Monday, May 18, 1959, Miss Nancy Moody, Parliamentarian and Charles Jones, Doorkeeper, to proceed to the Bar of the Senate and they were administered the Constitutional Oath of Office.

Recess

On motion of Senator Hardeman the Senate at 10:42 o'clock a.m. took recess until 10:30 o'clock a.m. tomorrow.

SECOND DAY

(Continued)

(Thursday, May 21, 1959)

After Recess

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

Leaves of Absence

Senator Fuller was granted leave of absence for today on account of a death in the family on motion of Senator Kazen.

Senator Roberts was granted leave of absence for today on account of important business on motion of Senator Fly.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Reagan.

Senator Ratliff was granted leave of absence for today on account of illness in the family on motion of Senator Hardeman.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senate Resolution 10

Senator Krueger offered the following resolution.

Whereas, We are honored today to have in the gallery of the Senate, the 8th Grade Class of Sacred Heart Academy of La Grange, Texas, accompanied by their teachers and sponsors, Mrs. Robert J. Kallus, Mrs. Ernest Kallus, Sister M. Alberta, and Father Harry Mazurkevicka; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senate Concurrent Resolution 1

Senator Parkhouse offered the following resolution:

S. C. R. No. 1, Memorializing Congress relative to remedial legislation for protection against James Hoffa et al.

Whereas, On the 19th day of May, 1959, James Hoffa, President of the Teamsters Union, in a speech at Brownsville, Texas, threatened the Congress of the United States with a "primary strike all across the nation that will straighten out the employers for once and for all" if Congress imposed restrictive labor laws; and

Whereas, Such a threat of a nationwide strike constitutes a reprehensible Code of Conduct so typical of Hoffa and his gangsters; and

Whereas, Such conduct threatens the very foundation of our Democratic form of government and maligns and degrades the Congress of the United States; and

Whereas, The citizens of the United States through their duly elected members of Congress are entitled to remedial legislation that would protect them from such lawless and irresponsible union leaders who, by their threats, are in fact denying the

supremacy of Government over their nefarious activities; and

Whereas, The people of this great nation are entitled to and must demand legal protection from such demagogues and maligners of our Constitution, laws and our Congress; and

Whereas, The laboring men and women are patriotic law abiding citizens and should be protected from a gang of labor racketeers headed by Hoffa; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, call upon the Members of Congress, to enact restrictive and remedial legislation that will afford protection to the people of the United States against such enemies of our Government as reflected by the threats of Hoffa and his hoodlums; and be it further

Resolved, That copies of this Resolution be mailed to the Members of the Texas Delegation in the Senate and the House of Representatives, and a copy to Senator John L. McClellan and a copy to the Vice President of the United States, Richard M. Nixon.

PARKHOUSE
CRUMP

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 11

Senator Secrest offered the following resolution:

Whereas, Today is the birthday of our esteemed colleague, Senator Louis Crump; and

Whereas, It is the desire of the Senate to extend greetings and felicitations to him on this anniversary of his birth; now, therefore, be it

Resolved, That we wish him happy birthday and many happy returns of the day.

SECREST

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Dies, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Willis and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 1, Providing for a Joint Session at 11:30 a.m., May 18, 1959, to hear the Governor's Message.

H. C. R. No. 2, Concerning per diem and mileage pay for Members of the First Called Session of the Fifty-sixth Legislature.

Senate Resolution 12

Senator Baker offered the following resolution:

Whereas, Dr. Frederick C. Elliott was unanimously selected by the Houston District Dental Society as Dentist of the Century in commemoration of the American Dental Association Centennial; and

Whereas, Dr. Elliott received the award upon the basis of his contributions in dentistry, his church, his community, and civic activities; and

Whereas, His career in Texas began in 1932, when he was named dean of the Texas Dental College and developed the program whereby The University of Texas entered into dental education; he became first dean of The University of Texas Dental Branch, and was appointed a vice-president of the University in 1946; and

Whereas, He was a member of the Texas State Board of Health from 1941 to 1943; and

Whereas, Dr. Elliott, although a dentist, heads the State's largest medical facility—the Texas Medical Center; and

Whereas, His years of service have brought to him numerous other awards and distinctions—"Man of the Year," by alumni of the University of Kansas College of Dentistry, 1954; chairman of the Houston Board of Health, 1938-1941; Chairman of the Committee on Mental Health Training and Research in Texas, 1954; executive

secretary of the Joint Administrative Committee of the Texas Medical Center and Baylor University College of Medicine; and

Whereas, The Senate wishes also to give recognition to this outstanding leader in the medical and dental professions; now, therefore, be it

Resolved, By the Senate of the State of Texas, That this Body joins with the hundreds of other friends and admirers of Dr. Frederick C. Elliott in expressing appreciation to him for his years of civic and professional service and in congratulating Dr. Elliott upon this latest award as Dentist of the Century; and be it further

Resolved, That a copy of this Resolution be sent to Dr. Elliott as a token of our esteem and good wishes.

BAKER
COLSON

The resolution was read and was adopted.

Report of Standing Committee

Senator Fly submitted the following report:

Austin, Texas,
May 21, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 1, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

FLY, Chairman.

C. S. H. B. No. 1 was read the first time.

Committee Substitute House Bill 1 Ordered Not Printed

On motion of Senator Fly and by unanimous consent C. S. H. B. No. 1 was ordered not printed.

Senate Resolution 13

Senator Hardeman offered the following resolution:

Whereas, It is with interest that the Senate of the State of Texas notes the centennial of the founding of one of the younger members of

the union of States of these United States; and

Whereas, This romantic land of majestic mountains and verdant valleys furnish a recreational playground for vast and increasing numbers of visitors annually, as well as for its own people, to enjoy and share its cool and invigorating climate and unparalleled and picturesque vistas; and

Whereas, It includes such natural and scenic marvels as Glenwood Canyon, with its brilliant colorings, the Royal Gorge, with its sheer granite walls, and the majestic Black Canyon of the Gunnison; also the Red Rocks near Denver, the Garden of the Gods at the foot of Pike's Peak and the Seven Falls at Colorado Springs, to mention only a few of Nature's handiworks; and

Whereas, This fine State, familiarly known as "cool, colorful Colorado," has made great contributions to the welfare of America from the days of the earliest fur traders, Jean de la Maissonneuve and a Swiss named Prenaloupe, who arrived at the present site of Denver on July 20, 1799, through the period of the explorers, James Purcell in 1803, Capt. Zebulon M. Pike in 1806, Maj. Stephen H. Long in 1820, Capt. John C. Fremont in 1842, and Capt. John W. Gunnison, all noted explorers and pathfinders, followed by the trappers, scouts and Indian agents and fighters which included such romantic and historical figures at Kit Carson, Jim Bridger, Charles and William Bent and Thomas Fitzpatrick; and

Whereas, Following the establishment of the "Territory of Jefferson," as it was originally known, great builders and political leaders appeared with William Gilpin, the first Territorial Governor and John Evans, railroad builder and second Governor of the Territory, also the founder of the University of Denver; Gen. William J. Palmer, founder of Colorado Springs and builder of the Denver and Rio Grande Railroad; Henry M. Teller, United States Senator and Secretary of the Interior in President Arthur's cabinet; H. A. W. ("Haw") Tabor, colorful, fabulous, legendary pioneer mining operator, speculator and United States Senator, together with such later-day celebrities as Homer Lea, soldier, author and adviser to Sun Yat Sen, in establishing the China Republic in 1912, Helen Hunt Jackson, author of "Ramona,"

Anne Parrish, author of many novels, including "The Perennial Bachelor"; Eugene Field, poet and journalist, Gene Fowler, journalist and playwright, Fred Stone, of musical comedy fame, Douglas Fairbanks, Sr., stage and screen star and Paul Whiteman, "the King of Jazz" have made lasting contributions to the development of the State; and

Whereas, As a land abounding in natural resources, it plays an important part in the economy and recreation of her own people, as well as of the entire country with her two National Parks and six National Monuments with their mauve and snow-capped peaks, the most famous being Pike's Peak, lifted more than 14,000 feet into ethereal blue, greeting the radiance of the morning light at the first blush of dawn and stripping the splendor from the sunset's golden glow, then to be followed by the lengthening shadows of darkening purple, fading insensibly into neutral twilight, as night gathers her gentle mantle over its awesome stillness and the grandeur and magnificence of this wildly weird domain, she stands as the highest State in the Union, with an average altitude of 6,800 feet; and

Whereas, That part of Colorado lying South and West of the Arkansas River was ceded by Mexico to the United States by the Treaty of Guadalupe Hidalgo in 1848, which Treaty also related to lands within the State of Texas thereby providing, to some extent, a common background for these two great American commonwealths; and

Whereas, It is the desire of the Senate of the State of Texas to join with the people of Colorado on its centennial observance and express the hope for another and other centuries of progress therefor; now, therefore, be it

Resolved, by the Senate of the State of Texas, That its good wishes be, and they are hereby, extended to the State of Colorado and her people on the occasion of their first centennial and the hope for additional centuries of progress for this romantic and picturesque commonwealth; and be it further

Resolved, That copies of this resolution, under the official seal of the Senate of Texas, be forwarded by the Secretary of the Senate to the Governor of Colorado, the Lieutenant-governor of Colorado, the Speaker of the

House of Representatives of Colorado, the United States Senators and the Members of the United States House of Representatives from Colorado and the Secretary of State of Colorado.

The resolution was read and was adopted.

Message from The House

Hall of the House of Representatives,
Austin, Texas,
May 21, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 12, Directing payment of certain miscellaneous claims and judgments out of the sum appropriated for that purpose in the General Appropriation Bill for the Biennium September 1, 1959-August 31, 1961, making an appropriation for and directing payment of certain miscellaneous claims and judgments out of other funds designated herein; requiring approval of claims in the manner specified in the Act before payment is made; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Committee Substitute House Bill 1 on Second Reading

Senator Fly moved that Senate Rules 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 1 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Parkhouse
Crump	Phillips
Dies	Reagan
Fly	Secrest
Hardeman	Smith
Herring	Weinert
Kazen	Willis
Lane	Wood

Nays—2

Gonzalez Krueger

Absent—Excused

Fuller	Ratliff
Hazlewood	Roberts
Hudson	Rogers
Owen	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

C. S. H. B. No. 1, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, the payment of claims against the State, and for State aid to designated public junior colleges, for the two-year period beginning September 1, 1959, and ending August 31, 1961; authorizing and prescribing conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and declaring an emergency."

The bill was read the second time.

Senator Gonzalez offered the following amendment to the bill:

Amend C. S. H. B. 1 by including matching State funds to federal monies allocated in the pertinent section dealing with appropriation for Texas Education Agency.

The amendment was read.

(Senator Moffett in the Chair.)

Senator Fly raised the point of order that the amendment is too vague and indefinite as to section, line or sum of money and therefore was not germane to the bill under consideration.

The Presiding Officer (Senator Moffett in the Chair) sustained the point of order stating an amendment to an appropriation bill must be specific, both in reference to the section of the bill sought to be amended and as to the sum of money sought to be appropriated, therefore is not germane to the bill under consideration.

Senator Gonzalez offered the following amendment to the bill:

Amend H. B. 1 by striking out the Enacting Clause.

The amendment was read.

Pending discussion by Senator Gonzalez of his amendment, he withdrew the proposed amendment.

Senator Gonzalez offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 1, Article IV, "Central Education Agency, b. Vocational Education General Revenue Fund: by adding the following:

"(4) Vocational Distributive Education: Reimbursement for teacher travel, salary supplements in non-foundation School Districts, and Distributive Education \$ 181,360 \$ 181,360

The amendment was read and failed of adoption.

(President in the Chair.)

Senator Willis offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 1, Article II, page II-21, State Youth Council (Central Office) by adding the following:

Parole Supervision		
13. Parole Officers (20) NTE \$4800	\$ 96,000	\$ 96,000
14. Secretaries (10) NTE \$3000	30,000	30,000
15. Other operating expenses, including travel	25,000	25,000
Total—Parole Supervision	\$ 151,000	\$ 151,000

The amendment was read.

Question on adoption of the amendment, yeas and nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—3

Gonzalez	Willis
Herring	

Nays—21

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Parkhouse
Crump	Phillips
Dies	Reagan
Fly	Secrest
Hardeman	Smith
Kazen	Weinert
Krueger	Wood
Lane	

Absent—Excused

Fuller	Ratliff
Hazlewood	Roberts
Hudson	Rogers
Owen	

The bill was then passed to third reading.

Committee Substitute House Bill 1 on Third Reading

The Constitutional Rule requiring

bills to be read on three several days and Senate Rule 32 having been suspended the President laid C. S. H. B. No. 1 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

Record of Votes

Senators Hardeman and Crump asked to be recorded as voting "Nay" on the final passage of C. S. H. B. No. 1.

Senate Resolution 14

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th and 8th grade classes of the Saint Elizabeth School from Port Neches, Texas, accompanied by their teachers, Sister M. Olivia and Sister M. Martha; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their

state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

PARKHOUSE
FULLER

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the students and their teachers to Members of the Senate.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the committee indicated:

H. B. No. 12, Referred to the Committee on Claims.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 21, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 9, Inviting Dr. George

Kung-Chao Yeh, Ambassador of the Republic of China to speak before a Joint Session on May 25, 1959.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Concurrent Resolution 9 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 9, Inviting Dr. George Kung-Chao Yeh, Ambassador of the Republic of China to address a Joint Session on May 25, 1959 at 11:30 o'clock a.m.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Adjournment

On motion of Senator Hardeman the Senate at 12:05 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, May 25, 1959.

Record of Votes

Senators Herring, Phillips, Colson, Krueger, Kazen, Willis, Martin, Secrest, Smith and Bradshaw asked to be recorded as voting "Nay" on the motion to adjourn.

In Memory of
Mrs. Kathleen Eddins

Senator Hardeman offered the following resolution:

(Senate Resolution 9)

Whereas, The Grim Reaper removed from our midst Mrs. Kathleen Mathis Eddins of Austin, familiarly known and loved by her many friends as "Miss Kathleen"; and

Whereas, She was born September 28, 1905, at Detroit, Red River County, Texas, where she attended public school and later attended East Texas State Teachers College at Commerce, after which she taught school for about 10 years; thereafter she entered Tyler Commercial College in 1936, from which she was graduated, and shortly thereafter obtained her first secretarial job in January 1937, as secretary to our distinguished colleague, Honorable A. M. Aikin, Jr., of Lamar County, for whom she worked during each subsequent session of the Legislature until her passing on July 9, 1958, in Austin; and

Whereas, She married E. M. Eddins on September 19, 1939, who, along with a host of friends, survives her; and

Whereas, It is the desire of the Senate of Texas, of which "Miss Kathleen" was a long-time faithful and efficient employee, to recognize her service and to express its sympathy upon her death; now, therefore, be it

Resolved, by the Senate of Texas, That its sympathy in the passing of "Miss Kathleen" be, and the same is hereby extended, to her surviving family and sisters, Mrs. L. H. Odom (Hazel) of San Antonio and Miss Lucile (Ditta) Mathis of Austin and friends, and that copies of this resolution under the official seal of the Senate be furnished surviving members of her family; that a page in the Journal be set aside for this resolution and that when the Senate adjourns today, it do so in her honor.

HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.